



STATE OF WASHINGTON
WASHINGTON STATE BOARD OF HEALTH
*1102 SE Quince Street • PO Box 47990
Olympia, Washington 98504-7990*

March 24, 2003

The Honorable Dan Swecker, Chair
Senate Agriculture Committee
103 Newhouse Building
Post Office Box 40420
Olympia, Washington 98504-0420

Dear Senator Swecker:

I am writing as chair of the State Board of Health to comment on Engrossed Substitute House Bill 1754, regarding permitting for small pastured poultry farmers, which is to be heard before your committee March 25. The Board would like to recommend amendment of the current version.

The original bill would have exempted small poultry farmers from all regulation by all state and local agencies, including by local health jurisdictions enforcing State Board of Health rules. The Board has written previously that this approach would increase the risk of food borne illness.

The current version of the bill takes a different tack. Section 3 of ESHB 1754 would require the Washington State Department of Agriculture (WSDA) to develop rules for issuing temporary permits to small pastured poultry farmers under the Food Processing Act. This change will help ensure that pastured poultry sold directly to consumers is prepared in a safe and sanitary manner.

Since Section 3 clearly establishes a specific regulatory framework and a specific oversight role for WSDA, I believe that Section 1 of the bill is unnecessary. Moreover, Section 1 would exempt small poultry farmers from all direct and indirect applications of all Board rules—including those regulating on-site sewage disposal, safe drinking water, communicable disease control and other areas of Board authority not directly related to food preparation and sale. Because Section 1 would seem to be superfluous and it is potentially very problematic, I recommend amending the bill to remove Section 1.

Sincerely,

Linda Lake, Chair
State Board of Health

cc: Senate Agriculture Committee Members
The Honorable William Eickmeyer
Washington State Board of Health Members
Ms. Mich'l Prentice Needham, Governor's Executive Policy Office
Ms. Patty Hayes, Department of Health
Ms. Jennifer Tebaldi, Department of Health
Mr. Don Sloma, Washington State Board of Health